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December 30, 2013

OUR FILE NUMBER  
33,962-2

**BY ECF**

WRITER'S DIRECT DIAL  
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The Honorable Viktor V. Pohorelsky  
United States Magistrate Judge  
United States District Court for the  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

WRITER'S E-MAIL ADDRESS  
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**Re: In Re Air Cargo Shipping Services Antitrust Litigation, 06-MD-1775**

Dear Judge Pohorelsky:

Please find enclosed a Stipulation and [Proposed] Order to Extend the Deadline for Asiana Airlines, Inc. ("Asiana") to Take the Rule 30(b)(6) Deposition of All Nippon Airways Co., Ltd. ("ANA"). This stipulation has been agreed to by Asiana and Plaintiffs. Counsel for ANA has stated that it has no objection to the stipulation.

As the Court is aware, under the Fifth Stipulated Revised Discovery and Class Certification Briefing Schedule, fact discovery is set to end on December 31, 2013. On December 16, 2013, Asiana served a subpoena on ANA, a settled Defendant to this action, for a deposition under Rules 45 and 30(b)(6) of the Federal Rules of Civil Procedure to establish the foundation for admissibility of specified documents. Asiana served Plaintiffs and the other Defendants with a copy of the subpoena and notice of deposition on December 16, 2013. This deposition is currently scheduled to take place on December 31, 2013.

Counsel for ANA has advised counsel for Asiana that given the holidays and the timing of the deposition notice, ANA will be unable to produce a witness on December 31, 2013. Counsel for ANA have further agreed to meet and confer with Asiana to attempt to agree upon a declaration that would otherwise obviate the need for a deposition. Accordingly, the parties have met and conferred, and agreed, subject to the Court's approval, to extend the discovery deadline as set forth in the enclosed stipulation and proposed order.

† In association with Tumbuan & Partners

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Thus, Asiana, with the consent of Plaintiffs, respectfully requests that the Court enters the attached Stipulation and [Proposed] Order to Extend the Deadline for Asiana Airlines, Inc. to Take the Rule 30(b)(6) Deposition of All Nippon Airways Co., Ltd.

Sincerely,

/s/ Ian Simmons

Ian Simmons

Enclosure

cc: All parties (via ECF)

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK**

IN RE AIR CARGO SHIPPING SERVICES  
ANTITRUST LITIGATION

06-MD-1775 (JG) (VVP)

THIS DOCUMENT RELATES TO:  
ALL ACTIONS

**STIPULATION AND [PROPOSED] ORDER TO EXTEND THE DEADLINE  
FOR ASIANA AIRLINES, INC. TO TAKE THE RULE 30(B)(6) DEPOSITION  
OF ALL NIPPON AIRWAYS CO., LTD.**

WHEREAS the Fifth Stipulated Revised Discovery and Class Certification Briefing Schedule (as ordered by the Court on March 6, 2013) set a deadline of December 31, 2013 by which fact discovery would end;

WHEREAS on December 16, 2013, Asiana Airlines, Inc. (“Asiana”) served a subpoena upon settled defendant All Nippon Airways Co., Ltd., (“ANA”) for a deposition under Rules 45 and 30(b)(6) of the Federal Rules of Civil Procedure to establish the foundation for admissibility of specified documents;

WHEREAS the deposition of ANA is currently scheduled for December 31, 2013;

WHEREAS counsel for ANA has advised counsel for Asiana that given the holidays and the timing of the deposition notice, ANA will be unable to produce a witness on December 31, 2013;

WHEREAS counsel for ANA and counsel for Asiana have agreed to meet and confer to attempt to agree upon a stipulation or declaration that would obviate the need for a deposition; and

WHEREAS counsel for ANA has stated that it has no objection to the stipulation below;

THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the undersigned, that:

The deadline for the parties to take the aforementioned deposition of ANA shall be extended until March 31, 2014 for the purpose of allowing counsel for ANA and counsel for Asiana time to negotiate in good faith a mutually agreeable declaration that would suffice to establish the foundation for admissibility of the documents specified in the deposition notice.

Dated: December 30, 2013

Respectfully submitted,

By: /s/ Ian Simmons  
Ian Simmons

Ian Simmons  
Benjamin G. Bradshaw  
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ASIANA AIRLINES, INC.

/s/ Gregory K. Arenson  
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Counsel for PLAINTIFFS

So Ordered

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Victor V. Pohorelsky  
United States Magistrate Judge

Dated: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I, Ian Simmons, hereby certify that on December 30, 2013, I caused a true and correct copy of the Letter Motion by Asiana Airlines, Inc., and Stipulation and [Proposed] Order to Extend the Deadline for Asiana Airlines, Inc. to Take the Rule 30(b)(6) Deposition of All Nippon Airways Co., Ltd. to be served via the Court's ECF system to all attorneys of record in this action.

/s/ Ian Simmons

Ian Simmons